

SCHEDULES

SCHEDULE 1 **N.I.**

Regulation 123

Payments for added pension

PART 1 **N.I.**

Interpretation

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1. In this Schedule—

- “amount of extra pension” means the amount of accrued added pension at any time;
- “appropriate pay period” means the pay period that the scheme manager considers appropriate;
- “notice of election” has the meaning given in paragraph 5;
- “overall limit of extra pension” has the meaning given in paragraph 2;
- “periodical payment period” means the period for which periodical payments for added pension payments are payable;
- “period of service” in relation to this scheme, means a continuous period of pensionable service under this scheme;
- “the relevant day” means the day on which the lump sum is received by the scheme manager;
- “the relevant scheme year” means the scheme year in which the relevant day falls.

Meaning of “overall limit of extra pension” **N.I.**

2.—(1) The overall limit of extra pension is—

- (a) £6,500 for any scheme year ending before 1st April 2016; and
- (b) for any scheme year beginning on or after 1st April 2016—
 - (i) the overall limit of extra pension determined by the Department of Finance and Personnel in respect of that scheme year as published before the start of that scheme year; or
 - (ii) if no such determination is made, the amount calculated under sub-paragraph (2).

(2) The amount is the amount to which the annual rate of a pension of an amount equal to the overall limit of extra pension for the previous scheme year would have been increased under the 1971 Act if—

- (a) that pension were eligible to be so increased; and
- (b) the beginning date for that pension were the first day of the previous scheme year.

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Limit on elections **N.I.**

3. An added pension election may not be exercised by an active member if the amount of extra pension would exceed the overall limit of extra pension if that election were made.

Amount of accrued added pension may not exceed overall limit of extra pension **N.I.**

4.—(1) At any given time, the total amount of accrued added pension in a member's added pension account may not exceed the overall amount of extra pension.

(2) If a member has elected to make periodical payments for added pension, the scheme manager may by written notice to the member cancel the election if it appears to the scheme manager that the overall limit of extra pension will be exceeded if the member continues to make the periodical payments.

(3) If the scheme manager cancels the election, the periodical payments cease to be payable from the next pay period beginning after the date specified in the notice of cancellation.

PART 2 **N.I.**

CHAPTER 1 **N.I.**

Exercising the added pension election

Added pension election exercisable by member **N.I.**

5.—(1) An active member of this scheme may elect to make added pension payments to this scheme to increase the member's retirement benefits and death benefits.

(2) A member may make the added pension election by notice to the scheme manager in such form as the scheme manager may require.

(3) The notice given in sub-paragraph (2) is referred to in this Schedule as the notice of election.

(4) The notice of election must state—

(a) whether added pension payments are to be made by—

(i) periodical payments, or

(ii) a lump sum payment;

(b) whether the member has an added pension account with another employer; and

(c) whether the member is making an added pension election in connection with another scheme employment.

(5) An election to pay added pension payments by a lump sum payment may only be made if the member gives notice to the scheme manager not later than 12 months after the date on which the person last became employed by that scheme employer as a firefighter.

(6) An election to pay added pension payments by periodical payments may only be made at least two years before the member's normal pension age and cannot be made once the scheme manager has agreed that the member will leave the scheme with entitlement to a pension or an ill-health award.

CHAPTER 2 **N.I.**

Periodical payments for added pension

Application of Chapter **N.I.**

6. This Chapter applies in relation to an active member of this scheme who elects to make periodical payments for added pension.

Member's election to make periodical payments for added pension **N.I.**

7.—(1) The notice of election must specify—

- (a) the periodical payment period; and
- (b) the amount of the periodical payment to be deducted by the member's employer from the member's pensionable pay in each pay period.

(2) The amount of the periodical payment may be expressed as—

- (a) a percentage of the member's pensionable pay; or
- (b) a fixed sum.

(3) The amount of the periodical payment must not be less than any minimum amount determined by the scheme manager.

Periodical payments **N.I.**

8.—(1) The periodical payments may be payable by deduction by the member's employer from the member's pensionable pay during the periodical payment period.

(2) The periodical payment period—

- (a) begins with the first appropriate pay period beginning on or after the date on which the scheme manager receives the notice of election; and
- (b) ends on the earliest of—
 - (i) the date of the next appropriate pay period if the member gives the notice of discontinuance under paragraph 9,
 - (ii) date of the next pay period after the date specified in a notice of cancellation given by the scheme manager under paragraph 4(2),
 - (iii) the date on which the member ceases to be an active member, and
 - (iv) the date specified in the notice of election.

(3) If the member does not want to pay the periodical payments by deduction from pensionable pay, the scheme manager may agree another method of payment.

Discontinuance of periodical payments **N.I.**

9. If a member wishes to discontinue the payment of periodical payments, the member must give written notice to the scheme manager.

Periodical payments during periods of assumed pensionable pay **N.I.**

10.—(1) The periodical payments are payable by deduction from the member's pensionable pay during the periodical payments period and whilst the member is treated as receiving assumed pensionable pay, reduced pay or no pay, the member may—

- (a) stop the periodical payments; or

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- (b) continue the periodical payments as if the member were receiving pensionable pay at the full rate.
- (2) During any period in which the member is receiving statutory maternity pay or is on paid ordinary maternity leave, paid ordinary adoption leave or paid paternity leave, the member may—
 - (a) stop the periodical payments; or
 - (b) pay the periodical payments of an amount determined by reference to the member's actual pay during that period.
- (3) If a member stops the periodical payments during a period of assumed pensionable pay or a period of reduced pay, the member may choose to resume the periodical payments in the next pay period after the period of assumed pensionable pay or period of reduced pay ends.
- (4) After a period of assumed pensionable pay or a period of reduced pay, the member may give written notice to the scheme manager authorising the employer to deduct the aggregate of payments which would have been made during this period from the member's pay during a period of six months from the end of the period of reduced pay or such longer period as the scheme manager may allow.
- (5) Notice under sub-paragraph (4) should be given to the scheme manager not later than one month after the end of the period of assumed pensionable pay or reduced pay.

Amount of added pension for a scheme year **N.I.**

- 11.—(1) This paragraph applies for each scheme year during which a member makes periodical payments to increase both the member's retirement benefits and death benefits.
- (2) An amount of added pension must be credited to the member's added pension account for that scheme year.
- (3) The amount credited to the added pension account is an amount determined by the scheme manager by reference to actuarial guidance.

CHAPTER 3 **N.I.**

Lump sum payments for added pension

Application of Chapter **N.I.**

- 12. This Chapter applies in relation to an active member of this scheme who has elected to make a lump sum payment for added pension.

Member's election to make a lump sum payment for added pension **N.I.**

- 13.—(1) The notice of election must specify the amount of lump sum which must not be less than any minimum amount determined by the scheme manager.
- (2) If the lump sum is not paid within three months after the date on which the notice of election was given, then the notice of election is void.

Amount of added pension to be credited to added pension account **N.I.**

- 14.—(1) This paragraph applies if a member elects to pay a lump sum to increase the member's retirement benefits and death benefits.
- (2) Following payment of the lump sum by the member an amount of added pension must be credited to the added pension account in the relevant scheme year.
- (3) The amount credited to the added pension account is an amount determined by the scheme manager by reference to actuarial guidance.

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